GOVERNMENT OF ANDHRA PRADESH
ABSRACT

PR&RD Dept. - Krishna District - Regularize the services of Sri K.Venkatwswara Rao, Bill Collector, Gudur Gram Panchayat, Krishna District, with retrospective effect instead of prospective effect for notional pay fixation, pension benefits, retirement benefits only – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (EST.III) DEPARTMENT

G.O.RT.No. 572 Dated: 09-10-2020.

Read the following:

Ref:-1. G.O.Rt.No.1977, PR&RD (Estt.IV) Dept., dt.26.11.2005.
2.Orders of the Hon'ble APAT in O.A.No.2730/2018, dated:13.12.2018.
3. Orders of the Hon'ble High Court, Hyderabad in W.P.No.15059/2019, dt.14.11.2019.
4.C.C.No.288/20202 in W.P.No.14059/2019, filed by Sri K.Venkatwswara Rao, Bill Collector, Gudur Gram Panchayat, Krishna District.
5.From Commissioner, PR&RD, Lr.No.PRR02- 14021/37/2019-G-COMMR PRRD, dt.05.03.2020

&&&

ORDER:

In the reference 1st read above, Government have issued orders to regularize the services of Sri K.Venkateswra Rao, and other (14) individuals who have fulfilled all the conditions laid down in G.O.(P)No.112, Finance (PC.III) Department, dated 23.07.1997 from the date of issue of the orders i.e. prospective date.

2. Aggrieved by the said orders, Sri K.Venkateswra Rao, Bill Collector has filed O.A. No.2730/2018 in the Hon'ble Administrative Tribunal to regularize the service with retrospective effect. In the reference 2nd read above, the Hon'ble Tribunal while disposing the O.A No.2730/2018, dt.13.12.2018 directed the respondents "to extend the benefit past service from 25.11.1993 onwards to the applicant for the purpose of pension and pesnionary benefits only. It is made clear that the applicant is not entitled for any monetary benefits prior to retirement in view of the above relief". He has approached the Hon'ble High Court of A.P. for implementation of the above orders of Hon'ble A.P. Administrative Tribunal. In the reference 3rd read above, the Hon'ble High Court of A.P. in W.P.No.14059/2019, dt.14.11.2019, passed orders directing respondents to implement the orders of the Hon'ble A.P. Administrative Tribunal in O.A.No.2730/2018, dt.13.12.2018.

3. The applicant has filed C.A. No.288/2020 in W.P.No.14059/2019 in the Hon'ble High Court of A.P. for implementation of the orders passed by Hon'ble Courts. In the reference 5th read above, the Commissioner, PR&RD has stated that in similar case Govt. vide Memo No.24200/Est.III/A1/2012, dt.03.01.2019, have stated that in many cases, the Hon'ble A.P Administrative Tribunal / Hon'ble High Court of A.P are passing directions / orders for regularization of services with retrospective effect and similar subject matters in the state and instructed to file SLP against the orders of Hon'ble High Court on the subject matter before the Hon'ble Supreme Court.

(P.T.O)

4. Government after careful examination of the matter, decided to implement the orders of Hon'ble A.P. Administrative Tribunal in O.A. No.2730/2018 as confirmed by Hon'ble, High Court in W.P. No.14059/2019. Accordingly, Government hereby order to regularise the services of K.Venkateswar Rao Rao, Bill Collector, Gudur Gram Panchayat, Krishna District with retrospective effect w.e.f. 25.11.1993 instead of from the date of issuance of the orders vide G.O.Rt.No.1977, Dt.26.11.2005 for the purpose of notional pay fixation and to count the service for pensionary benefits only. It is made clear that the applicant is not entitled for any monetary benefits prior to retirement, subject to outcome of the S.L.P.No.9966/2020 and other similar SLPs if any pending before the Hon'ble Supreme Court of India in the matter.

5. This orders issues subject to outcome of the court cases pending, before the Hon'ble Courts. This shall not be quoted as a precedent case applicable to any other employees working in the Gram Panchayats and there is no right to insist for extending the benefit on par with the above individual, and it would not prejudice Government's right to appeal.

6. The Commissioner, PR&RD Dept., A.P., Tadepalli, Guntur District is requested to take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHARA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Panchayat Raj & Rural Development Dept.,
A.P., Tadepalli, Guntur District.
The Individual (through Commissioner, PR&RD)
Copy to:
The District Panchayat Officer, Machilipatnam, Krishna Dist.
The Government Pleader for Services,
A.P. High Court Buildings, Amaravathi.
The O.S.D. to the Hon'ble Minister (PR&RD).
The P.S. to Prl. Secretary to Govt., PR&RD Dept.
The Accountant General, AP, Vijayawada.
The Finance (FMU.PR&RD&RWS) Department
The Pay & Accounts Officer, A.P., Vijayawada.
The District Treasury Officer, Krishna District.
SC/SF.

// FORWARDED :: BY ORDER //

SECTION OFFICER